



**City of YUMA**

**CITY OF YUMA  
REGULAR CITY COUNCIL MEETING **SUMMARY**  
COUNCIL CHAMBERS – YUMA CITY HALL  
ONE CITY PLAZA, YUMA, ARIZONA  
WEDNESDAY, APRIL 21, 2010  
5:30 P.M.**

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**CALL TO ORDER 5:30 PM**

**INVOCATION**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

**FINAL CALL** for submission of Speaker Request Forms

**PRESENTATIONS**

**I. CALL TO THE PUBLIC**

**NO LEGAL  
ACTION  
PERMITTED**

Members of the public may address the City Council on matters that are not listed on the City Council agenda. The City Council cannot discuss or take legal action on any matter raised unless it is properly noticed for discussion and legal action. At the conclusion of the Call to the Public, individual members of the City Council may respond to criticism made by those who have addressed the City Council, may ask staff to review a matter or may ask that a matter be placed on a future agenda. All City Council meetings are recorded and videotaped.

## II. MOTION CONSENT AGENDA

All items listed on the Motion Consent Agenda will be considered and enacted with one motion. There will be no separate discussion of these items unless a Councilmember so requests. In which event, the item will be removed from the Motion Consent Agenda and the vote or action will be taken separately.

### A. Approval of minutes of the following City Council meeting(s):

**APPROVED** 1. Regular City Council Meeting January 20, 2010

**APPROVED** 2. Regular City Council Meeting March 3, 2010

### B. Approval of Staff Recommendations:

#### Page Item

1. Executive Sessions may be held at the next regularly scheduled Special Worksession, Regular Worksession and City Council Meeting for personnel, legal, litigation and real estate matters pursuant to A.R.S. § 38-431.03 Section A (1), (3), (4), and (7). (City Attorney)

**FAILED** 2. **Special Event Liquor License: Immaculate Conception Roman Catholic Parish & Guadalupe Mission-Yuma**

Approve a Special Event Liquor License application submitted by Oscar Frank Chavez, on behalf of the Immaculate Conception Roman Catholic Parish & Guadalupe Mission-Yuma, for a Mother's Day Celebration. The dinner and dance event is a fundraiser for the parish and will be held at Saint Ann's Parish Hall, 505 S. Avenue B, on Saturday, May 8, 2010 from 5:00 p.m. to 1:00 a.m. (SP10-07) (City Administration/City Clerk) (Brigitta M. Kuiper)

**APPROVED** 3. **Special Event Liquor License: Navy League of the United States-Yuma Council**

Approve a Special Event Liquor License application submitted by Clyde (Bob) Nidiffer, on behalf of the Navy League of the United States-Yuma Council, for a fundraiser to support the Officer Spouse Club (OSC) Education Scholarship Program. The event will be held at the Yuma Art Center, 254 S. Main Street, on Saturday, May 1, 2010 from 6:00 p.m. to 9:00 p.m. (SP10-08) (City Administration/ City Clerk) (Brigitta M. Kuiper)

**APPROVED 4. Liquor License: Mad Chef Restaurant**

Approve a #7 Beer and Wine Bar (New License/Interim Permit) Liquor License application submitted by Panayiota Pardini, agent for Mikonos, Inc. dba Mad Chef Restaurant, 108 South Gila Street, Yuma, Arizona. (LL10-05) (City Administration/ City Clerk) (Brigitta M. Kuiper)

**APPROVED 5. Liquor License: Das Bratwurst Haus**

Approve a New #12, Restaurant Liquor License application submitted by William Francis Bowles, agent for Das Bratwurst Haus, LLC dba Das Bratwurst Haus, 204 South Madison Avenue, Yuma, Arizona. (LL10-06) (City Administration/City Clerk) (Brigitta M. Kuiper)

**APPROVED 6. Temporary Extension of Premises: LZ Bar & Grill**

Approve an application for a Temporary Extension of Premises/Patio Liquor License Permit submitted by William Edward Malo, agent for LZ Bar & Grill, for "LZ WWII USO Show" on June 19, 2010 to be held at 2175 S. Harley Drive, Yuma, Arizona. (EP10-03) (City Administration/City Clerk) (Brigitta M. Kuiper)

**APPROVED 7. Temporary Extension of Premises: LZ Bar & Grill**

Approve an application for a Temporary Extension of Premises/Patio Liquor License Permit submitted by William Edward Malo, agent for LZ Bar & Grill, for "LZ Hot Southern Rock" event on July 3, 2010 to be held at 2175 S. Harley Drive, Yuma, Arizona. (EP10-04) (City Administration/City Clerk) (Brigitta M. Kuiper)

**APPROVED 8. Permanent Extension of Premises Liquor License: Carla Renee's**

Approve an application for a Permanent Extension of Premises/Patio Liquor License Permit submitted by Carla Renee Gravley, agent for Carla Renee's, located at 265 S. Main Street, Yuma, Arizona. (EP10-05) (City Administration/City Clerk) (Brigitta M. Kuiper)

**APPROVED 9. Request for Proposal (RFP): Multi-Jurisdictional Integrated Public Safety Software System**

Authorize staff to negotiate and execute a five-year contract with the option to renew for five additional one-year periods, one period at a time, depending on the appropriation of funds and satisfactory performance for the Multi-Jurisdictional Integrated Public Safety System for the Yuma Regional Communications System at an estimated first year cost of \$3,431,708.00 to the following firm: New World Systems, Troy, Michigan. (Information Technology Systems - RFP #2010000001) (Information Technology/Finance/Telecommunications/Purchasing) (Laurie Neinast)

**APPROVED 10. Contract Amendment: Request for Proposal - Professional Engineering and Related Services Requiring Arizona Department of Transportation / Federal Highway Administration Project Experience and Grant Services**

Ratify and authorize a contract amendment for Professional Engineering and Related Services Requiring Arizona Department of Transportation / Federal Highway Administration Project Experience and Grant Services on a Delivery Order Basis to increase the single delivery order value with written City Engineer approval from \$200,000.00 up to \$250,000.00 for the current contract year, with the following firm: Principle Engineering Group, Inc., (PEG), Yuma, Arizona. (City Engineering Department - RFP No. 2005000359) (Paul Brooberg)

**APPROVED 11. Bid Rejection: Physical Examination Provider Services**

Reject all bids for Physical Examination Provider Services. (Fire Department - Bid #2010000242) (Jack McArthur)

**APPROVED 12. Bid Award: Avenue 3E Reconstruction 24th Street to 32nd Street & 24th Street Pavement Replacement Industrial Avenue to 23rd Lane**

Award to the lowest responsive/responsible bidder for Avenue 3E Reconstruction 24th Street to 32nd Street & 24th Street Pavement Replacement Industrial Avenue to 23rd Lane at a total cost of \$2,999,005.02 to: DPE Construction, Inc., Yuma, Arizona. (City Engineering Department - Bid # 2010000291) (Paul Brooberg)

**APPROVED 13. Intergovernmental Agreement: Mutual Aid and Assistance - U. S. Army Yuma Proving Ground**

Authorize execution of an Intergovernmental Agreement with the U. S. Army Yuma Proving Ground (YPG), for mutual aid and assistance for fire, medical, hazardous materials, chemical, biological, radiological, nuclear, and high yield explosives (CBRNE), mass casualty emergencies and operation support. (Fire/Administration) (Jack McArthur)

**APPROVED 14. Intergovernmental Agreement First Amendment: Automatic/Mutual Assistance - Marine Corps Air Station (MCAS) Yuma**

Authorize execution of the First Amendment to the Intergovernmental Agreement with the Marine Corps Air Station (MCAS) Yuma, to allow the area know as the "Estancia" to be added to the physical boundaries for response of automatic aid within the City of Yuma. (Fire/Administration) (Jack McArthur)

**APPROVED 15. Ratification of Intergovernmental Agreement: Arizona State Parks Board**

Ratify the City Administrator's action to execute an Intergovernmental Agreement with Arizona State Parks to manage and operate the Yuma Territorial Prison State Historic Park. (City Administration/Yuma Crossing Heritage Area) (Charles W. Flynn)

**APPROVED 16. Ratification of Agreement: Yuma Crossing National Heritage Area Corporation**

Ratify the City Administrator's action to execute an Agreement to convey to the Yuma Crossing National Heritage Area the responsibility for operations of the Yuma Territorial Prison State Historic Park, without City funding, and to provide performance standards for the Yuma Crossing National Heritage Area Corporation. (City Administration/Yuma Crossing National Heritage Area) (Charles W. Flynn)

**SUGGESTED MOTION: To approve the MOTION CONSENT AGENDA as recommended:**

**M/\_\_\_\_\_ S/\_\_\_\_\_ VV/\_\_\_\_\_**

### **III. RESOLUTION CONSENT AGENDA**

All items listed on the Resolution Consent Agenda will be considered and enacted with one motion. There will be no separate discussion of these items unless a City Councilmember so requests or a Speaker Request Form has been submitted. In which event, the item will be removed from the Resolution Consent Agenda and the vote or action will be taken separately.

**ADOPTED A. Resolution R2010-19 Grants and Permits: United States Department of the Interior Bureau of Land Management**

Authorize the City Administrator to execute United States Department of the Interior Bureau of Land Management grants, permits and associated documentation and authorize City of Yuma staff to remit payment for same. (City Engineering/ Administration) (Paul Brooberg)

**ADOPTED B. Resolution R2010-20 Development Fee Deferral: Klaudia Jan Goldsboro, Robert George Goldsboro and Liana Goldsboro**

Approve a Development Agreement with Klaudia Jan Goldsboro, Robert George Goldsboro and Liana Goldsboro, deferring Citywide Development Fees for 2360 South Avenue A. (City Engineering/Administration) (Paul Brooberg)

**ADOPTED C. Resolution R2010-21 Development Fee Deferral: Redondo Limited Partnership**

Approve a Development Agreement with Redondo Limited Partnership permitting deferral of Citywide Development Fees for a portion of Parcel "A" of the Home Depot Lot Tie/Split. (City Engineering/Administration) (Paul Brooberg)

**ADOPTED D. Resolution R2010-22 Development Fee Deferral: Terraces Townhomes, LLC**

Approve a Development Agreement with Terraces Townhomes, LLC, permitting the deferral of Citywide Development Fees and water and sanitary sewer capacity fees for designated lots within the Sunset Terrace Townhomes subdivision. (City Engineering/Administration) (Paul Brooberg)

**ADOPTED E. Resolution R2010-23 Reimbursement Agreement: Cielo Verde Development, A Limited Partnership**

Authorize a Reimbursement Agreement with Cielo Verde Development, a Limited Partnership, for Avenue 8½E roadway improvements between 36th Street and 40th Street, in the estimated amount of \$330,845.00. (City Engineering/Administration) (Paul Brooberg)

**SUGGESTED MOTION: To adopt the RESOLUTION CONSENT AGENDA as recommended:**

M/\_\_\_\_\_ S/\_\_\_\_\_ RV/\_\_\_\_\_

**IV. ADOPTION OF ORDINANCES CONSENT AGENDA**

All items listed on the Ordinances Consent Agenda will be considered and enacted with one motion. There will be no separate discussion of these items unless a City Councilmember so requests or a Speaker Request Form has been submitted. In which event, the item will be removed from the Ordinance Consent Agenda and the vote or action will be taken separately.

**ADOPTED A. Ordinance O2010-21 Right-of-Way Acquisition Modification: Avenue 3E**

Authorize revisions to the acquisition right-of-way for Avenue 3E Street construction between Gila Ridge Road and 32nd Street, by amending Ordinance Nos. O2007-35 and O2009-45. (City Engineering/Administration) (Paul Brooberg)

**SUGGESTED MOTION: To adopt the ORDINANCES CONSENT AGENDA as recommended:**

M/\_\_\_\_\_ S/\_\_\_\_\_ RV/\_\_\_\_\_

## V. INTRODUCTION OF ORDINANCES

The following ordinance(s) is presented to the City Council for introduction. No vote or action by the City Council is necessary. However, the City Council may, at its option, vote or take action where appropriate. Ordinances given introduction are generally presented to the City Council for adoption at the next Regular City Council meeting.

### **INTRODUCED** A. Ordinance O2010-22 Declare as Surplus and Abandon Rights-of-Way

Authorize a declaration of surplus and the abandonment of portions of the Jones Street and Gila Street rights-of-way to the United States Department of the Interior/Bureau of Reclamation. (City Engineering/Administration)  
(Paul Brooberg)

## VI. PUBLIC HEARINGS & RELATED ACTIONS

### **PUBLIC HEARING HELD APPROVED** A. Grant: 2010 Community Development Block Grant Action Plan

Public Hearing for and approval of the City of Yuma 2010 Community Development Block Grant (CDBG) Action Plan authorizing the City Administrator to execute an application for funding to the Department of Housing and Urban Development (HUD). This reservation of funds is subject to the satisfactory completion of National Environmental Protection Act. (NEPA) /Part 58 environmental review. (City Administration/Economic Development)

M/\_\_\_\_\_ S/\_\_\_\_\_ RV/\_\_\_\_\_

## VII. APPOINTMENTS, ANNOUNCEMENTS AND SCHEDULING

Discussion and possible action on the following items:

### 1. Appointments:

- APPOINTMENT  
MADE**
- Housing Authority of the City of Yuma (HACY): one term to expire 01/21/2015

### 2. Announcements:

- NOT REPORTED**
- City Council report on meetings/events attended – City Council report on issues discussed in meetings/events attended by a City Council representative in their official capacity as the City's representative during the period of April 7, 2010 through April 21, 2010. City Council questions regarding the update must be limited solely for clarification purposes. If



further discussion is warranted, the issue will be added to a future agenda for a detailed briefing.

- City Council report of upcoming meetings.
  - City Council request for agenda items to be placed on future agendas.
3. Scheduling: Motion to schedule future City Council meetings pursuant to Arizona Revised Statutes Section 38-431.02 and the Yuma City Code, Chapter 30.

## VIII. SUMMARY OF CURRENT EVENTS

REPORTED

This is the City Administrator's opportunity to give notice to the City Council of current events impacting the City. Comments are intended to be informational only and no discussion, deliberation or decision will occur on this item.

## IX. EXECUTIVE SESSION

EXECUTIVE  
SESSION NOT  
HELD

An Executive Session may be held during this meeting to discuss pending Legal/Personnel/Real Estate matters. An Agenda will be posted 24 hours in advance.

## ADJOURNMENT 5:54 pm

In accordance with the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act of 1973 the City of Yuma does not discriminate on the basis of disability in the admission of or access to, or treatment or employment in, its programs, activities, or services. For information regarding rights and provisions of the ADA or Section 504, or to request reasonable accommodations for participation in City programs, activities, or services contact: ADA/Section 504 Coordinator, City of Yuma Human Resources Department, One City Plaza, PO Box 13012, Yuma, Arizona 85366-3012; (928) 373-5125 or TTY (928) 373-5149.